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AK Bar No.: 9811061

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

ELLA SHELDON,	)	Case No.: _____
	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	
_____	)	

**COMPLAINT**

COMES NOW the Plaintiff, ELLA SHELDON, by and through her attorneys, PENTLARGE LAW GROUP, and for her Complaint against the Defendant, states and alleges as follows:

1. That Plaintiff is a resident of the State of Alaska and was at all times pertinent hereto.
2. That upon information and belief, Defendants Alaska Native Tribal Health Consortium, is a licensed corporation within the state of Alaska and is doing business as Quyan Hospitality Services property located at 4315 Diplomacy Drive Anchorage, Alaska 99508 and is believed to be deemed part of the U.S. Department of Health and Human Services' Public Health Services.

3. That upon information and belief, Defendant Quyana Hospitality Services is licensed to do business by the state of Alaska within Alaska Native Tribal Health Consortium and is the premises of the incident upon which this suit is based.

4. That upon information and belief, Alaska Native Tribal Health Consortium is the agent and owner of Quyana Hospitality Services, is deemed to be part of the Defendant's actions and inactions are imputed to the owner of the complex.

5. On or about November 4, 2011, while under physicians care at Alaska Native Medical Center, Plaintiff was assigned lodging in the Quyana House at 4315 Diplomacy Drive Anchorage, Alaska. Plaintiff was unable to safely get on and off the bed due to the excessive height of the bed and lack of bed safety/ grab rails causing Plaintiff to fall and her injuries and damages.

6. Plaintiff's accident and injuries were the direct and proximate result of Defendant's negligence in furnishing the hospice rooms with unsafe beds.

7. Defendant had a duty to properly provide safe furniture and safety equipment for Plaintiff as a guest of the Quyana House to be able to safely get on and off of the bed. The Defendant breached that duty by failing to notify Plaintiff of the excessive height of the bed thereby creating a hazard.

8. Defendant failed to maintain proper safety equipment for Plaintiff to safely get on and off the bed constitutes negligence on the part of Defendant.

9. Defendant had a duty to warn any guest or patient of the unsafe conditions which could reasonably cause injury. The Defendant breached that duty by failing to warn Plaintiff of the hazard.

10. Said failure to warn Plaintiff of the dangerous height of the beds, and failure to provide safe access on and off the bed constitutes negligence on the part of the Defendant.

11. As a result of the above-referenced accident, Plaintiff suffered damages, including but not limited to medical expenses, pain and suffering, loss of income, loss of enjoyment of life, and other damages all in an amount in excess of \$100,000.00 the exact amount to be proven at trial.

12. Plaintiff fulfilled the jurisdictional requirement of filing an administrative claim with the General Law Division, Office of the General Counsel and the claim was denied. *See attached Exhibit 1, Denial of Administrative Claim.*

WHEREFORE, having stated her Complaint, Plaintiff prays for judgment against the Defendants as follows:

1. Compensatory damages in an amount in excess of \$100,000.00 the exact sum to be proven at trial;
2. For pre-judgment and post-judgment interest at the maximum rate allowable by law;
3. For Plaintiff's costs and attorneys' fees incurred in pursuing this action; and
4. For such other and further relief as the court may deem just and equitable.

DATED at Anchorage, Alaska, this 6th day of March, 2014.

PENTLARGE LAW GROUP  
Attorneys for Plaintiff

  
Dylan C. Buchholdt  
Alaska Bar No. 9811061